

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the pending Final Office Action, the Examiner rejected claims 1-12, under 35 U.S.C. §102(b), as allegedly being anticipated by Weindorf '182 (U.S. Patent Pub. No.2002/0118182).

By this Amendment, claims 1-3, 7, and 9 have been amended to provide a clearer presentation of the claimed subject matter, claims 4-6, 8, and 10-12 have been cancelled, and new claims 13-17 have been added. Applicants submit that no new matter has been introduced. As such, claims 1-3, 7, 9, and 13-17 are currently presented for examination of which claims 1 and 9 are independent.

Insofar as the rejections are still deemed relevant in view of the claim changes, Applicant respectfully traverses the rejections, under 35 U.S.C. §102(b), for the reasons presented below.

I. Rejections Under §102(b).

As indicated above, independent claim 1 is directed to an information processing device and positively recites, *inter alia*, a calculator configured to calculate a target brightness of the display unit responsive to the lightness detected by the detector and ***a controller configured to repeatedly change the control signal by a predetermined level to change the display brightness of the display unit by a predetermined brightness step until the display brightness equals the target brightness***, the predetermined brightness step being obtained by dividing a brightness changeable range.

These features are amply supported by the embodiments described in the Specification. By way of example, the disclosed embodiments provide a structure and configuration which ***repeatedly changes the control signal*** by a predetermined amount in order to change the display brightness of the display unit by a predetermined brightness step, until the brightness equals the target brightness. The predetermined brightness step is obtained by dividing a brightness

changeable range. By changing the display brightness in such a step by step fashion from a current brightness to a target brightness, the strain to a user's vision caused by abrupt changes in display brightness is significantly alleviated. (*See, e.g.*, Specification: page 11, lines 5-24; page 12, line 3 - page 14, line 8; page 15, line 24- page 16, line 1; FIGs. 4 and 5-7).

Applicant submits that the asserted reference fails to teach each and every element of claim 1, including the features noted above. In particular, the Weindorf '182 reference discloses that control circuitry **108** controls or adjusts the luminance of the backlight. The control circuitry **108** provides a brightness command signal to the backlight or similar signal that corresponds to a luminance or brightness value for the desired or selected brightness of the display panel **104**. (*See, Weindorf '182*: par. [0027]).

Weindorf '182 further discloses that an automatic day selector **348** determines the automatic day brightness or luminance value and has a filter to reduce or eliminate fluttering that may result from rapid changes in ambient light conditions. The filter determines how many steps are between the desired luminance level and the current display luminance. The number of steps is multiplied by a time constant to determine a delay period before stepping towards the desired brightness step. So, based on the light detected, a step number is selected, and the display brightness is adjusted using the corresponding day/night luminance value from the table. In this manner, Weindorf '182 adjusts the delay time to reduce fluttering. (*See, Weindorf '182*: par. [0072]).

Given these disclosures, Applicant submits that Weindorf '182 clearly fails to teach or suggest ***repeatedly changing the control signal by a predetermined level*** to change the display brightness of the display unit by a predetermined brightness step ***until the display brightness equals the target brightness***, as required by claim 1.

Furthermore, Weindorf '182 does not teach the use of the ***predetermined brightness step obtained by dividing a brightness changeable range***, as required by claim 1. Rather, the step number is selected from a table and multiplied by a time constant to generate the delay.

Hence, for at least these reasons, Applicant submits that claim 1 is clearly patentable. And, because claims 2-3, 7 and 13 depend from claim 1, either directly or indirectly, claims 2-3, 7 and 13 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, the immediate withdrawal of the art rejections of claims 1-3 and 7 is respectfully requested.

Applicant further submits that because independent claim 9 recites similar patentable features as claim 1, claim 9 is also patentable for the same reasons given relative to claim 1. And, because claims 14-17 depend from claim 9, claims 14-17 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, immediate withdrawal of the prior art rejections of claims 9 and 14-17 is respectfully requested.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant submits that the entry of this Amendment is proper under 37 C.F.R. §1.116, as the claim changes: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not require any further consideration as the claim changes employ limitations from originally-filed dependent claims that should have already been searched; and (c) places the application in better form for an Appeal, should an Appeal be necessary.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **03-3975**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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